

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer #1 (See additional employers in attachment) CENTURY MANAGEMENT LLC d/b/a MCDONALD'S		b. Tel. No. (b) (6), (b) (7)(C)
		c. Cell No.
d. Address (street, city, state ZIP code) 5645 Murray Rd, Memphis, TN 38119-3881 (mailing) 3149 N. Thomas St., Memphis, TN 38127 (store location)	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No. (901)767-1390
		g. e-Mail
i. Type of Establishment (factory, nursing home, hotel) Restaurant	j. Principal Product or Service Fast Food	
1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) From about (b) (6), (b) (7)(C) 2014, the Employer, through (b) (6), (b) (7)(C), has interfered with, restrained, and coerced employee (b) (6), (b) (7)(C) by changing (b) (6) schedule and reducing (b) (6) hours in retaliation for (b) (6) protected concerted activities.		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)		
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)		4b. Tel. No.
		4c. Cell No. (b) (6), (b) (7)(C)
		4d. Fax No.
		4e. e-Mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No.
By: (signature of representative or person making charge)	(b) (6), (b) (7)(C) Print Name and Title	Office, if any, Cell No. (b) (6), (b) (7)(C)
Address: (b) (6), (b) (7)(C)	Date:	Fax No.
		e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

(b) (6), (b) (7)(C)

Additional Employer Information**Employer #2**

a. Name of Employer McDONALD'S USA, LLC as joint or single employer		b. Tel. No.
		c. Cell No.
d. Address (street, city, state ZIP code) 1 McDonalds Dr, Oak Brook, IL 60523-1911	e. Employer Representative Gloria Santona	f. Fax No.
i. Type of Establishment (factory, nursing home, hotel) Restaurant	j. Principal Product or Service Fast food	g. e-Mail

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
15-CA-148290	March 17, 2015

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer #1 (See additional employers in attachment) CENTURY MANAGEMENT LLC d/b/a MCDONALD'S		b. Tel. No. (b) (6), (b) (7)(C)
		c. Cell No.
d. Address (street, city, state ZIP code) 5645 Murray Rd, Memphis, TN 38119-3881 (mailing) 3149 N. Thomas St., Memphis, TN 38127 (store location)	e. Employer Representative (b) (6), (b) (7)(C)	f. Fax No. (901)767-1390
		g. e-Mail
i. Type of Establishment (factory, nursing home, hotel) Restaurant	j. Principal Product or Service Fast Food	
1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) From about (b) (6), (b) (7)(C), 2014, the Employer, through (b) (6), (b) (7)(C), has interfered with, restrained, and coerced employee (b) (6), (b) (7)(C) by changing (b) (6), (b) (7)(C) schedule and reducing (b) (6), (b) (7)(C) hours in retaliation for (b) (6), (b) (7)(C) protected concerted activities.		
3. Full name of party filing charge (if labor organization, give full name, including local name and number) (b) (6), (b) (7)(C)		
4a. Address (street and number, city, state, and ZIP code) (b) (6), (b) (7)(C)		4b. Tel. No.
		4c. Cell No. (b) (6), (b) (7)(C)
		4d. Fax No.
		4e. e-Mail (b) (6), (b) (7)(C)
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of (b) (6), (b) (7)(C)		Tel. No.
(b) (6), (b) (7)(C)		Office, if any, Cell No. (b) (6), (b) (7)(C)
(b) (6), (b) (7)(C) (filing charge)	Print Name and Title (b) (6), (b) (7)(C)	Fax No.
Address: (b) (6), (b) (7)(C)	Date: Feb. 8, 2015	e-Mail (b) (6), (b) (7)(C)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
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Additional Employer Information**Employer #2**

a. Name of Employer McDONALD'S USA, LLC as joint or single employer		b. Tel. No.
		c. Cell No.
d. Address (street, city, state ZIP code) 1 McDonalds Dr, Oak Brook, IL 60523-1911	e. Employer Representative Gloria Santana	f. Fax No.
i. Type of Establishment (factory, nursing home, hotel) Restaurant	j. Principal Product or Service Fast food	g. e-Mail



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 15
600 S Maestri Pl Fl 7
New Orleans, LA 70130-3414

Agency Website: www.nlr.gov
Telephone: (504)589-6361
Fax: (504)589-4069



Download
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March 17, 2015

(b) (6), (b) (7)(C)

Century Management LLC d/b/a McDonald's
5645 Murray Rd
Memphis, TN 38119-3881

Gloria Santona
McDonald's USA, LLC as joint or single employer
1 McDonalds Dr
Oak Brook, IL 60523-1911

Re: Century Management LLC d/b/a
McDonald's and McDonald's USA, LLC as
joint or single employer
Case 15-CA-148290

Dear (b) (6), (b) (7)(C) and Ms. Santona:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney ALEXANDRA K. ROATH SCHULE whose telephone number is (504)589-2256. If this Board agent is not available, you may contact Deputy Regional Attorney ANDREA J. WILKES whose telephone number is (504)589-3157.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlr.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts

and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor any request to place limitations on our use of position statements or evidence beyond those prescribed by the Freedom of Information Act and the Federal Records Act. Thus, we will not honor any claim of confidentiality except as provided by Exemption 4 of FOIA, 5 U.S.C. Sec. 552(b)(4), and any material you submit may be introduced as evidence at any hearing before an administrative law judge. We are also required by the Federal Records Act to keep copies of documents gathered in our investigation for some years after a case closes. Further, the Freedom of Information Act may require that we disclose such records in closed cases upon request, unless there is an applicable exemption. Examples of those exemptions are those that protect confidential financial information or personal privacy interests.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website, www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Century Management LLC d/b/a
McDonald's and McDonald's USA, LLC as
joint or single employer
Case 15-CA-148290

- 3 -

March 17, 2015

Very truly yours,

A handwritten signature in black ink that reads "M. Kathleen McKinney". The signature is written in a cursive style with a small star-like mark above the "n" in McKinney.

M. KATHLEEN MCKINNEY
Regional Director

MKM/kl

Enclosures:

1. Copy of Charge
2. Commerce Questionnaire

cc: (b) (6), (b) (7)(C)
Century Management LLC d/b/a
McDonald's
3149 N. Thomas St
Memphis, TN 38127-6002

QUESTIONNAIRE ON COMMERCE INFORMATION

Please read carefully, answer all applicable items, and return to the NLRB Office. If additional space is required, please add a page and identify item number.

CASE NAME

Century Management LLC d/b/a McDonald's and McDonald's USA, LLC as joint or single employer

CASE NUMBER

15-CA-148290

1. EXACT LEGAL TITLE OF ENTITY (As filed with State and/or stated in legal documents forming entity)**2. TYPE OF ENTITY**☐ CORPORATION ☐ LLC ☐ LLP ☐ PARTNERSHIP ☐ SOLE PROPRIETORSHIP ☐ OTHER (Specify)**3. IF A CORPORATION or LLC**

A. STATE OF INCORPORATION OR FORMATION

B. NAME, ADDRESS, AND RELATIONSHIP (e.g. parent, subsidiary) OF ALL RELATED ENTITIES

4. IF AN LLC OR ANY TYPE OF PARTNERSHIP, FULL NAME AND ADDRESS OF ALL MEMBERS OR PARTNERS**5. IF A SOLE PROPRIETORSHIP, FULL NAME AND ADDRESS OF PROPRIETOR****6. BRIEFLY DESCRIBE THE NATURE OF YOUR OPERATIONS (Products handled or manufactured, or nature of services performed).****7. A. PRINCIPAL LOCATION:****B. BRANCH LOCATIONS:****8. NUMBER OF PEOPLE PRESENTLY EMPLOYED**

A. Total:

B. At the address involved in this matter:

9. DURING THE MOST RECENT (Check appropriate box): ☐ CALENDAR YR ☐ 12 MONTHS or ☐ FISCAL YR (FY dates)A. Did you **provide services** valued in excess of \$50,000 directly to customers outside your State? If no, indicate actual value.
\$**YES****NO**B. If you answered no to 9A, did you **provide services** valued in excess of \$50,000 to customers in your State who purchased goods valued in excess of \$50,000 from directly outside your State? If no, indicate the value of any such services you provided.
\$C. If you answered no to 9A and 9B, did you **provide services** valued in excess of \$50,000 to public utilities, transit systems, newspapers, health care institutions, broadcasting stations, commercial buildings, educational institutions, or retail concerns? If less than \$50,000, indicate amount. \$D. Did you **sell goods** valued in excess of \$50,000 directly to customers located outside your State? If less than \$50,000, indicate amount. \$E. If you answered no to 9D, did you **sell goods** valued in excess of \$50,000 directly to customers located inside your State who purchased other goods valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$F. Did you **purchase and receive goods** valued in excess of \$50,000 from directly outside your State? If less than \$50,000, indicate amount. \$G. Did you **purchase and receive goods** valued in excess of \$50,000 from enterprises who received the goods directly from points outside your State? If less than \$50,000, indicate amount. \$**H. Gross Revenues from all sales or performance of services (Check the largest amount)**☐ \$100,000 ☐ \$250,000 ☐ \$500,000 ☐ \$1,000,000 or more If less than \$100,000, indicate amount.

I. Did you begin operations within the last 12 months? If yes, specify date: _____

10. ARE YOU A MEMBER OF AN ASSOCIATION OR OTHER EMPLOYER GROUP THAT ENGAGES IN COLLECTIVE BARGAINING?☐ YES ☐ NO (If yes, name and address of association or group).**11. REPRESENTATIVE BEST QUALIFIED TO GIVE FURTHER INFORMATION ABOUT YOUR OPERATIONS**

NAME

TITLE

E-MAIL ADDRESS

TEL. NUMBER

12. AUTHORIZED REPRESENTATIVE COMPLETING THIS QUESTIONNAIRE

NAME AND TITLE (Type or Print)

SIGNATURE

E-MAIL ADDRESS

DATE

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing representation and/or unfair labor practice proceedings and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary. However, failure to supply the information may

cause the NLRB to refuse to process any further a representation or unfair labor practice case, or may cause the NLRB to issue you a subpoena and seek enforcement of the subpoena in federal court.

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

**CENTURY MANAGEMENT LLC D/B/A
MCDONALD'S AND MCDONALD'S USA, LLC
AS JOINT OR SINGLE EMPLOYER**

Charged Party

and

(b) (6), (b) (7)(C)

Charging Party

Case 15-CA-148290

AFFIDAVIT OF SERVICE OF CHARGE AGAINST EMPLOYER

I, the undersigned employee of the National Labor Relations Board, state under oath that on March 17, 2015, I served the above-entitled document(s) by post-paid regular mail upon the following persons, addressed to them at the following addresses:

(b) (6), (b) (7)(C)

Century Management LLC d/b/a McDonald's
5645 Murray Rd
Memphis, TN 38119-3881

(b) (6), (b) (7)(C)

Century Management LLC d/b/a McDonald's
3149 N. Thomas St
Memphis, TN 38127-6002

Gloria Santona
McDonald's USA, LLC as joint or single
employer
1 McDonalds Dr
Oak Brook, IL 60523-1911

March 17, 2015

Date

Kelley Lindholm
Designated Agent of NLRB

Name

/s/

Signature



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 15
600 S Maestri PI Fl 7
New Orleans, LA 70130-3414

Agency Website: www.nlr.gov
Telephone: (504)589-6361
Fax: (504)589-4069



Download
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March 17, 2015

(b) (6), (b) (7)(C)

Re: Century Management LLC d/b/a
McDonald's and McDonald's USA, LLC as
joint or single employer
Case 15-CA-148290

Dear (b) (6), (b) (7)(C):

The charge that you filed in this case on March 17, 2015 has been docketed as case number 15-CA-148290. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney ALEXANDRA K. ROATH SCHULE whose telephone number is (504)589-2256. If this Board agent is not available, you may contact Deputy Regional Attorney ANDREA J. WILKES whose telephone number is (504)589-3157.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlr.gov, or at the Regional office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you

March 17, 2015

fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

Procedures: We strongly urge everyone to submit all documents and other materials (except unfair labor practice charges and representation petitions) by E-Filing (not e-mailing) through our website www.nlr.gov. However, the Agency will continue to accept timely filed paper documents. Please include the case name and number indicated above on all your correspondence regarding the charge.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website www.nlr.gov or from the Regional Office upon your request. *NLRB Form 4541, Investigative Procedures* offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

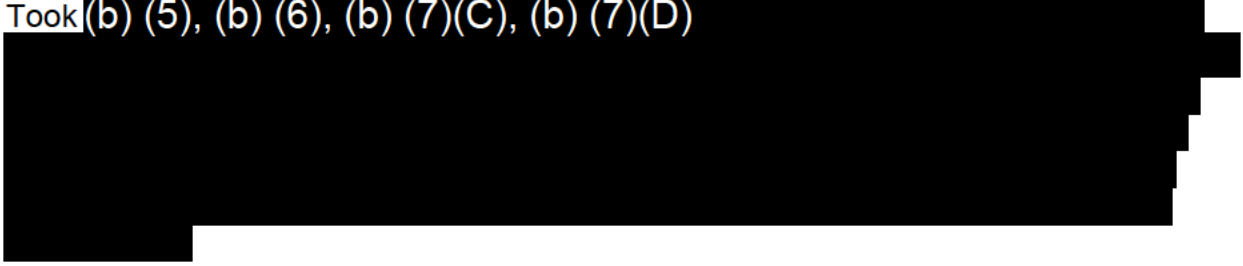
A handwritten signature in black ink that reads "M. Kathleen McKinney". The signature is written in a cursive, flowing style.

M. KATHLEEN MCKINNEY
Regional Director

MKM/kl

Phone Notes from (b) (6), (b) (7)(C) 2015, videoconference conversation with (b) (6), (b) (7)(C) (note – original copy of notes found in 15-CA-136065):

Took (b) (5), (b) (6), (b) (7)(C), (b) (7)(D)



Note – in a (b) (6), (b) (7)(C) /14 phone convo w (b) (6), (b) (7)(C) said (b) (6), (b) (7)(C) worked for the ER until about (b) (6), (b) (7)(C) /14.

From: [Roath Schule, Alexandra](#)
To: [Calkins, Audrey M.](#); ["Henderson, Thomas L."](#)
Subject: Century Management d/b/a McDonalds; 15-CA-148290
Date: Thursday, March 19, 2015 4:54:00 PM
Attachments: [CHG.15-CA-148290.Original Signed charge.pdf](#)

Dear Ms. Calkins and Mr. Henderson,

Attached is a copy of the charge filed by (b) (6), (b) (7)(C) against Century Management and McDonalds. As Ms. Calkins and I discussed earlier today, based on the information I have obtained so far in connection with this investigation and the date that the charge was filed by (b) (6), (b) (7)(C), it appears that the charge may be barred by 10(b) (the section of our Act that requires charges be filed within 6 months of when the charging party knew/should have known of the violation of the Act). To that end, and in hopes of a speedy resolution of this charge, I am trying to verify when (b) (6), (b) (7)(C) ended (b) (6) employment with the Employer. Can you please confirm (b) (6), (b) (7)(C) last date of employment with the Employer?

Please feel free to contact me with any questions. I will be out of the office tomorrow but will be back in on Monday.

Best,

Alexandra Schule

Alexandra K. R. Schule
Field Attorney
National Labor Relations Board - Region 15
600 South Maestri Place, 7th Floor
New Orleans, Louisiana 70130
Phone: (504) 589-2256
Fax: (504) 589-4069

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From: [Henderson, Thomas L.](#)
To: [Roath Schule, Alexandra](#); [Calkins, Audrey M.](#)
Subject: RE: Century Management d/b/a McDonalds; 15-CA-148290
Date: Friday, March 20, 2015 12:21:07 PM

(b) (6), termination date was (b) (6), (b) (7)(C) 2014. Since the charge was filed on March 17, 2015, it is untimely.

Thomas L. Henderson | Ogletree, Deakins, Nash, Smoak & Stewart, P.C.

International Place, Tower II, 6410 Poplar Avenue, Suite 300 | Memphis, TN 38119 | Telephone: 901-766-4317 | Fax: 901-767-7411

thomas.henderson@ogletreedeakins.com | www.ogletreedeakins.com | [Bio](#)

From: Roath Schule, Alexandra [mailto:Alexandra.RoathSchule@nlr.gov]
Sent: Thursday, March 19, 2015 3:55 PM
To: Calkins, Audrey M.; Henderson, Thomas L.
Subject: Century Management d/b/a McDonalds; 15-CA-148290

Dear Ms. Calkins and Mr. Henderson,

Attached is a copy of the charge filed by (b) (6), (b) (7)(C) against Century Management and McDonalds. As Ms. Calkins and I discussed earlier today, based on the information I have obtained so far in connection with this investigation and the date that the charge was filed by (b) (6), (b) (7)(C), it appears that the charge may be barred by 10(b) (the section of our Act that requires charges be filed within 6 months of when the charging party knew/should have known of the violation of the Act). To that end, and in hopes of a speedy resolution of this charge, I am trying to verify when (b) (6), (b) (7)(C) ended (b) (6) employment with the Employer. Can you please confirm (b) (6), (b) (7)(C) last date of employment with the Employer?

Please feel free to contact me with any questions. I will be out of the office tomorrow but will be back in on Monday.

Best,

Alexandra Schule

Alexandra K. R. Schule
Field Attorney
National Labor Relations Board - Region 15
600 South Maestri Place, 7th Floor
New Orleans, Louisiana 70130
Phone: (504) 589-2256
Fax: (504) 589-4069

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disclosure or use of this transmission or information contained in it is strictly prohibited. If you have received this in error, please delete it and any attachments from your system without copying them and notify me immediately by return e-mail so that our records can be corrected. Thank you!

This transmission is intended only for the proper recipient(s). It is confidential and may contain attorney-client privileged information. If you are not the proper recipient, please notify the sender immediately and delete this message. Any unauthorized review, copying, or use of this message is prohibited.

From: [Wilkes, Andrea J.](#)
To: [Dunham, Geoffrey](#)
Cc: [Roath Schule, Alexandra](#)
Subject: RE: McDonald's 15-CA-148290
Date: Thursday, May 7, 2015 2:53:00 PM

Probably help if I gave you the correct case number: 15-CA-148290 (please ignore the header on my previous email).

Thanks,

Andrea Wilkes, DRA R15

From: Wilkes, Andrea J.
Sent: Thursday, May 07, 2015 1:50 PM
To: Dunham, Geoffrey
Cc: Roath Schule, Alexandra
Subject: FW: McDonald's 15-CA-128290

Dear DRA Dunham,

Just following up to see if any determinations have been made by you as the coordinating region, and (b) (5).

Let me know if you need anything from us here in Region 15.

Thank you,

Andrea Wilkes, DRA R15

From: Jaffe, Leah Z.
Sent: Friday, April 17, 2015 4:21 PM
To: Wilkes, Andrea J.; Dunham, Geoffrey
Cc: Roath Schule, Alexandra
Subject: RE: McDonald's 15-CA-128290

Thanks Andrea. I am forwarding you email to DRA Dunham, who is in charge of all things MCD.

Leah Z. Jaffe

Regional Attorney

National Labor Relations Board, Region 2

26 Federal Plaza, Room 3614

New York, N.Y. 10278

(212) 264-0332

FAX (212) 264-2450

leah.jaffe@nrlrb.gov

From: Wilkes, Andrea J.
Sent: Thursday, April 16, 2015 2:48 PM
To: Jaffe, Leah Z.
Cc: Roath Schule, Alexandra
Subject: McDonald's 15-CA-128290

Dear RA Jaffe:

R15 has made a (b) (5) in Case No 15-CA-148290, Century Management LLC d/b/a McDonald's and McDonald's USA. All documents are uploaded for your review. We will await clearance from R2 before further processing.

Thank you,

Andrea Wilkes DRA R15

From: [Wilkes, Andrea J.](#)
To: [Dunham, Geoffrey](#)
Subject: RE: McDonald's 15-CA-128290
Date: Friday, May 8, 2015 9:59:00 AM

My bad, the Charging Party actually requested a short form dismissal; let me know if that changes anything on your end.

Thanks so much,
Andrea

From: Dunham, Geoffrey
Sent: Thursday, May 07, 2015 2:25 PM
To: Wilkes, Andrea J.
Cc: Roath Schule, Alexandra; Wainstein, Richard
Subject: RE: McDonald's 15-CA-128290

Andrea, thanks for reminder. ok to process withdrawal. Geoff

From: Wilkes, Andrea J.
Sent: Thursday, May 07, 2015 2:50 PM
To: Dunham, Geoffrey
Cc: Roath Schule, Alexandra
Subject: FW: McDonald's 15-CA-128290

Dear DRA Dunham,
Just following up to see if any determinations have been made by you as the coordinating region, and (b) (5) .
Let me know if you need anything from us here in Region 15.
Thank you,
Andrea Wilkes, DRA R15

From: Jaffe, Leah Z.
Sent: Friday, April 17, 2015 4:21 PM
To: Wilkes, Andrea J.; Dunham, Geoffrey
Cc: Roath Schule, Alexandra
Subject: RE: McDonald's 15-CA-128290

Thanks Andrea. I am forwarding you email to DRA Dunham, who is in charge of all things MCD.

Leah Z. Jaffe
Regional Attorney
National Labor Relations Board, Region 2
26 Federal Plaza, Room 3614
New York, N.Y. 10278
(212) 264-0332
FAX (212) 264-2450
leah.jaffe@nrlrb.gov

From: Wilkes, Andrea J.
Sent: Thursday, April 16, 2015 2:48 PM
To: Jaffe, Leah Z.
Cc: Roath Schule, Alexandra
Subject: McDonald's 15-CA-128290

Dear RA Jaffe:

R15 has made a (b) (5) in Case No 15-CA-148290, Century Management LLC d/b/a McDonald's and McDonald's USA. All documents are uploaded for your review. We will await clearance from R2 before further processing.

Thank you,
Andrea Wilkes DRA R15

Case Name: Century Management LLC d/b/a McDonald's and McDonald's USA, LLC as joint or single employer
Case No.: 15-CA-148290
Agent: Field Attorney ALEXANDRA K. ROATH SCHULE

CASEHANDLING LOG

[illegible]

Case Name: Century Management LLC d/b/a McDonald's
Case No.: 15-CA-148290
Agent: [AGENT NAME AND TITLE]

CASEHANDLING LOG

[illegible]



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 15
600 S Maestri Pl Fl 7
New Orleans, LA 70130-3414

Agency Website: www.nlr.gov
Telephone: (504)589-6361
Fax: (504)589-4069

May 8, 2015

(b) (6), (b) (7)(C)

Re: Century Management LLC d/b/a
McDonald's and McDonald's USA, LLC as
joint or single employer
Case 15-CA-148290

Dear (b) (6), (b) (7)(C):

We have carefully investigated and considered your charge that CENTURY MANAGEMENT LLC d/b/a MCDONALD'S and MCDONALD'S USA, LLC as joint or single employer have violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because there is insufficient evidence to establish a violation of the Act.

Your Right to Appeal: You may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals. If you appeal, you may use the enclosed Appeal Form, which is also available at www.nlr.gov. However, you are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect.

Means of Filing: An appeal may be filed electronically, by mail, by delivery service, or hand-delivered. Filing an appeal electronically is preferred but not required. The appeal MAY NOT be filed by fax or email. To file an appeal electronically, go to the Agency's website at www.nlr.gov, click on **E-File Documents**, enter the **NLRB Case Number**, and follow the detailed instructions. To file an appeal by mail or delivery service, address the appeal to the **General Counsel at the National Labor Relations Board, Attn: Office of Appeals, 1099 14th Street NW, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

Appeal Due Date: The appeal is due on **May 22, 2015**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a

May 8, 2015

delivery service no later than May 21, 2015. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before May 22, 2015.** The request may be filed electronically through the *E-File Documents* link on our website www.nlrb.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after May 22, 2015, **even if it is postmarked or given to the delivery service before the due date.** Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

/s/

M. Kathleen McKinney
Regional Director

MKM/pal

Enclosure

cc: **(b) (6), (b) (7)(C)**
Century Management LLC
d/b/a McDonald's
5645 Murray Road
Memphis, TN 38119-3881

(See: Parties continued on page 3)

Century Management LLC d/b/a
McDonald's and McDonald's USA, LLC
as joint or single employer
Case 15-CA-148290

- 3 -

May 8, 2015

cc: Audrey M. Calkins, Esq.
Ogletree, Deakins, Nash, Smoak
& Stewart, P.C.
6410 Poplar Avenue, Suite 300
Memphis, TN 38119

Thomas Henderson
6410 Poplar Avenue, Suite 300
Memphis, TN 38119-4867

Gloria Santona
McDonald's USA, LLC
as joint or single employer
1 McDonalds Drive
Oak Brook, IL 60523-1911

Doreen S. Davis, Attorney
Jones Day
222 East 41st Street
New York, NY 10017-6702

Michael S. Ferrell, Attorney
Jones Day
77 West Wacker Drive, Suite 3500
Chicago, IL 60601

Andrew G. Madsen, Attorney at Law
Jones Day
77 West Wacker Drive, Suite 3500
Chicago, IL 60601-1701

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

APPEAL FORM

To: General Counsel
Attn: Office of Appeals
National Labor Relations Board
Room 8820, 1099 - 14th Street, N.W.
Washington, DC 20570-0001

Date:

Please be advised that an appeal is hereby taken to the General Counsel of the National Labor Relations Board from the action of the Regional Director in refusing to issue a complaint on the charge in

Century Management LLC d/b/a McDonald's

Case Name(s).

15-CA-148290

Case No(s). *(If more than one case number, include all case numbers in which appeal is taken.)*

(Signature)